

REMARKS

In view of the amendments and remarks herein, favorable reconsideration and allowance of this application are respectfully requested. Claims 1-36 are pending.

Claims 3, 4, 5, 17, 18, 21, 32, 33 and 34 have been objected to based on the reasons identified by the Examiner on pages 2-3 of the Office Action. In addition, claims 35-36 have been rejected under 35 USC 112, second paragraph, as being indefinite. In response, Applicant has amended the claims herein in a manner that is believed to obviate these objections and rejections.

Claims 1-36 have been rejected under 35 USC 103 as being obvious over Miyamoto. For at least the following reasons, Applicant respectfully submits that the claims, as amended herein, are not rendered obvious by Miyamoto. Thus, reconsideration and withdrawal of this rejection are respectfully requested.

Miyamoto discloses making the backup data generated during a game applicable to a game machine having a different architecture, for example, between "Pokemon Stadium" (game software for Nintendo 64) and "Pokemon Game" (game software for GAMEBOY). More specifically, in Miyamoto, the backup data obtained during the play of "Pokemon Game" and indicating the kinds of Pokemon is read into "Pokemon Stadium", whereby the Pokemon indicated by the backup data can be used in "Pokemon Stadium". Thus, Miyamoto teaches making the backup data obtained by a game machine to be applicable to another game machine having a different architecture, thereby making the games for different kinds of game machines interactive. This feature of Miyamoto

can be clearly understood from the description at lines 9-15 of Column 1, which was pointed out by the Examiner.

In contrast to Miyamoto, the invention defined by the amended claims herein involves execution of a game for a game machine having a first architecture on another game machine having a second architecture. That is, the present invention provides a technique for making games for old game machines applicable to new game machines. More specifically, by making the backup data of the game previously sold for the first game machine applicable to the game more recently sold for the second game machine, Miyamoto aims to increase sales of the more recently sold game. In contrast, by making the game previously sold for the first game machine executable on the second game machine, the present invention aims to increase sales of the previously sold game.

Applicant notes that, in the description at lines 4-24, Column 12, the term "emulator program" appears. However, this disclosure only indicates the hope to use an emulator program with no description of an implementation or of the specific problem to be solved. That is, in Miyamoto, the idea that the game data is to be shared by the different game machines is disclosed in detail, but the reference fails to teach or remotely suggest the execution of the game program utilizing the emulator program.

The Examiner asserts that it is a well-known technical feature to make a player select a game by the game title. However, the invention defined by the amended claim is not obvious based on this assertion. Of course, if all of the titles correspond to the same game machine the Examiner's assertion may be correct. However, if game software for

different kinds of game machines are included, it is impossible to start-up the desired game software only by selecting the game title because the different kinds of game machines have different architectures, requiring different machine languages.

Therefore, in the present invention, at start-up, the game selection program for the first game machine is first executed to display the game titles. Then, when the player selects a given game title, the game program having the selected game title can be started based on the emulator program made to be associated to the game title. In this way, even if the player selects a game title for another game machine (whether he knows it or not), it is possible to start the execution of the game corresponding to the selected game title quickly and easily, and without requiring the player to understand which emulator may be required for which game on which machine. This feature is not taught or suggested in Miyamoto.

In view of the foregoing amendments and remarks, Applicant believes that all of the pending claims clearly and patentably distinguish the prior art of record and are in condition for allowance. Thus, withdrawal of the rejections and passage of this case to issuance at an early date are earnestly solicited.

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Should the Examiner have any questions, or deem that any further issues need to be addressed prior to allowance, the Examiner is invited to contact the undersigned attorney at the phone number below.

Respectfully submitted,

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